



10 JAN 2007

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In re Application of :  
Cormont et al. :  
Application No.: 10/570,726 :  
PCT No.: PCT/FR04/02226 :  
Int. Filing Date: 01 September 2004 : **DECISION**  
Priority Date: 05 September 2003 :  
Attorney Docket No.: 28944/50023 :  
For: Method And Device For Lithography :  
By Extreme Ultraviolet Radiation :

This is with regard to the petition under 37 CFR 1.182 filed on 27 September 2006.

### **BACKGROUND**

This international application was filed on 01 September 2004, claimed an earliest priority date of 05 September 2003, and designated the United States. The International Bureau transmitted a copy of the published international application to the USPTO on 31 March 2005. Accordingly, the 30 month time period for paying the basic national fee in the United States expired at midnight on 06 March 2006 (since 05 March 2006 was a Sunday).

On 20 September 2006, a Notification of Abandonment (Form PCT/DO/EO/909) was mailed to applicants, indicating that this international application had become abandoned with respect to the national stage in the United States for failure to timely pay the required basic national fee.

### **DISCUSSION**

The instant petition requests withdrawal of the holding of abandonment on the basis that "the application is not abandoned," in that applicants allegedly filed, *inter alia*, the basic national fee on 06 March 2006. Review of the electronic records of the USPTO reveals that the basic national fee was in fact paid on 06 March 2006. Therefore, the Notification of Abandonment (Form PCT/DO/EO/909) mailed on 20 September 2006 was issued in error, and therefore it is hereby **VACATED**.

### **CONCLUSION**

The petition to withdraw the holding of abandonment is **GRANTED**.

This application is being forwarded to the National Stage Processing Branch for further processing. The date of this application under 35 U.S.C. 371(c)(1), (2) and (4) is **06 March 2006**.

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